

ORIGINAL

LEONARDO M. RAPADAS
United States Attorney
MARIVIC P. DAVID
Assistant U.S. Attorney
Sirena Plaza Suite 500
108 Hernan Cortez Avenue
Hagatna, Guam 96910
Telephone: (671) 472-7332
Telecopier: (671) 472-7334

Attorneys for United States of America

FILED

DISTRICT COURT OF GUAM

OCT - 3 2005

MARY L.M. MORAN
CLERK OF COURT

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF GUAM**

UNITED STATES OF AMERICA,

Plaintiff,

vs.

MIKE ATOIGUE BURGOS,

Defendant.

CRIMINAL CASE NO. 05-00007

**GOVERNMENT'S RESPONSE TO
PRESENTENCE INVESTIGATION
REPORT AND MOTION FOR
ADDITIONAL ONE-LEVEL
DECREASE FOR ACCEPTANCE
OF RESPONSIBILITY**

Comes now the United States and adopts the findings of the Presentence Investigation Report with the following comments:

- A. Paragraphs 3, 7, 9, and 85 should reflect that on about April 15, 2005, the defendant pleaded guilty, pursuant to a plea agreement, to the sole count of the indictment.
- B. Paragraph 52 of the PSR correctly includes a three-level decrease for acceptance of responsibility under USSG § 3E1.1. The defendant timely notified the government of his intention to enter a plea of guilty at a sufficiently early stage in the process so

1 that the government was able to avoid preparing for trial, and the court was able to
2 schedule its calendar efficiently.

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4 Dated this 3rd day of October 2005.

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6 LEONARDO M. RAPADAS
7 United States Attorney
8 Districts of Guam and CNMI

9 By:

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11 MARIVIC P. DAVID
12 Assistant U.S. Attorney
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